

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

THE STATE OF LOUISIANA, et al.,

Plaintiffs,

v.

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Defendant.

No. 2:24-cv-629-DCJ-TPL

Judge David C. Joseph

Magistrate Judge Thomas P. LeBlanc

UNITED STATES CONFERENCE OF
CATHOLIC BISHOPS, et al.,

Plaintiffs,

v.

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION, et al.,

Defendants.

No. 2:24-cv-691-DCJ-TPL

Judge David C. Joseph

Magistrate Judge Thomas P. LeBlanc

**BISHOP PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION FOR AN
EXTENSION OF TIME TO ANSWER**

The Bishops Plaintiffs partially oppose Defendants' request to extend their answer deadline to August 30, 2024. Defs.' Mot. for Extension of Time to Respond to Compls., ECF 59. Defendants present no good cause supporting the request for additional time beyond the extension already agreed to by the parties, and the Rule 26(f) process started by Magistrate Judge LeBlanc will likely yield a more efficient schedule.

Defendants request to extend their deadline to answer for 14 days past their *appeal* deadline, to "allow[] for time to obtain greater clarity regarding future proceedings as to the preliminary-injunction order." Mot.2. But a party is not entitled to a stay of district court proceedings pending an appeal of a preliminary injunction order, much less a stay of proceedings while it *decides* whether to appeal such an order. *Campaign for S. Equal. v. Bryant*, 773 F.3d 55, 57 (5th Cir. 2014) (internal quotation marks omitted) ("A stay is an intrusion into the ordinary processes of administration and judicial review and a party is not entitled to a stay as a matter of right."). Defendants already receive far more time than typical litigants under the Federal Rules of Civil Procedure both to respond to a complaint and file a notice of appeal. *See* Fed. R. Civ. P. 12(a)(2); Fed. R. App. P. 4(a)(1)(B). Further, all Plaintiffs have already consented to an additional 15 days for Defendants to respond to the *Louisiana* complaint on a consolidated schedule. And to the extent Defendants plan to file motions to dismiss, they have not suggested that the proposed motions would meaningfully differ from what they've already briefed and this Court has already resolved.

A better approach would be for the parties to complete the Rule 26(f) discussions initiated by the magistrate judge's order setting a scheduling conference for July 25, 2024, ECF 58. The parties plan to confer on July 11, 2024, regarding the upcoming schedule in the case, where they can explore the most efficient path forward. Given that the issues in the case are purely legal, the Bishops expect that would entail an agreed schedule allowing prompt dispositive motion practice. *See, e.g., New York v. U.S. Dep't of Health and Hum. Servs.*, No. 1:19-cv-4676 (SDNY July 16, 2019), ECF No. 121 (in similar case challenging agency regulations, adopting schedule permitting prompt motion to dismiss and summary judgment briefing proceedings). Completing the ongoing Rule 26(f) process may obviate any need for this Court to rule on EEOC's motion.

Respectfully submitted,

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Dated: July 3, 2024

CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2024, the foregoing was served on counsel for all parties via the Court's CM/ECF system.

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Dated: July 3, 2024